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Attorney for Plaintiff,
Jose Trujillo

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

JOSE TRUJILLO,)	Case No. 1:22-cv-00983-BAM
)	
Plaintiff,)	STIPULATION GRANTING PLAINTIFF
vs.)	LEAVE TO FILE FIRST AMENDED
)	COMPLAINT; PROPOSED ORDER
BALDOMERO V. CISNEROS dba QUE)	
PASA MEXICAN CAFE, et al.,)	
)	
Defendants.)	
)	
)	

WHEREAS, Plaintiff, Jose Trujillo (“Plaintiff”), seeks to amend his complaint to allege additional access barriers which relate to his disability which were identified during the pendency of this action;

WHEREAS, the Ninth Circuit both urges and requires Plaintiff to identify in his complaint all barriers identified which relate to his disability. Chapman v. Pier 1 Imports (U.S.) Inc., 631 F.3d 939, 944 (9th Cir. 2011); Oliver v. Ralphs Grocery Co., 654 F.3d 903, 909 (9th Cir. 2011);

WHEREAS, Plaintiff has not unduly delayed the amendment, does not bring it in bad faith, the amendment is not futile, and such amendment does not prejudice the defendants, nor does the amendment in any way change the nature of the action; and

STIPULATION GRANTING PLAINTIFF LEAVE TO FILE FIRST AMENDED COMPLAINT;
~~PROPOSED~~ ORDER

1 **WHEREAS**, this amendment would not alter any dates or deadlines set by the Court;
2 **NOW, THEREFORE, IT IS HEREBY STIPULATED** by and between Plaintiff and
3 Defendants, Baldomero V. Cisneros dba Que Pasa Mexican Cafe and Heiskell Ranches, L.P.
4 (“Defendants”), the parties to this Action, through their respective attorneys of record, that
5 Plaintiff may file a First Amended Complaint, a copy of which is attached hereto as Exhibit
6 “A” with redlines showing the changes from the original Complaint.

7 **IT IS FURTHER STIPULATED** that Plaintiff shall file his First Amended Complaint
8 within five (5) calendar days of the Court’s Order permitting such filing, and that Defendants’
9 responses thereto shall be due as required by the Federal Rules of Civil Procedure.

10 **IT IS SO STIPULATED.**

11
12 Dated: May 31, 2023

MOORE LAW FIRM, P.C.

13
14 /s/ Tanya E. Moore

Tanya E. Moore
Attorney for Plaintiff,
Jose Trujillo

15
16
17 Dated: May 31, 2023

CLIFFORD & BROWN

18 /s/ William A. Bruce

19 William A. Bruce
Attorneys for Defendant,
Baldomero V. Cisneros dba Que Pasa
20 Mexican Cafe
21

22
23 Dated: May 31, 2023

McCORMICK, KABOT & LEW APC.

24 /s/ Chad M. Lew

Chad M. Lew
Attorneys for Defendant,
Heiskell Ranches, L.P.
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STIPULATION GRANTING PLAINTIFF LEAVE TO FILE FIRST AMENDED COMPLAINT;
~~PROPOSED~~ ORDER

ATTESTATION

Concurrence in the filing of this document has been obtained from each of the individual(s) whose electronic signature is attributed above.

/s/ Tanya E. Moore

Tanya E. Moore

Attorney for Plaintiff,

Jose Trujillo

ORDER

The Parties having so stipulated and good cause appearing,

IT IS HEREBY ORDERED that Plaintiff may file his First Amended Complaint, a redlined copy of which was filed with the Parties' stipulation, within five (5) calendar days of the date this Order is filed.

IT IS FURTHER ORDERED that Defendants' responses thereto shall be filed within the time required by the Federal Rules of Civil Procedure.

IT IS SO ORDERED.

Dated: June 1, 2023

/s/ Barbara A. McAuliffe

UNITED STATES MAGISTRATE JUDGE